



MISSISSIPPI
SECRETARY OF STATE

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI

STATE VETERANS AFFAIRS BOARD

State Veterans Affairs Board
c/o Avery Mounger Lee
3466 HWY 80 East
Post Office Box 5947
Pearl, MS 39208
601-576-4857

Specific Legal Authority authorizing the promulgation of
Rule: Miss. Code Ann., Section 35-1-7
Miss. Code Ann., Section 35-1-27

Reference to Rules repealed, amended or suspended by the
Proposed Rule: Mississippi State Veterans Affairs Board
Policies, Rules and Regulations, Section 2. Veterans Homes

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: Policy Change to comply with the provisions of 38 CFR 51.41, which stipulate that to receive increased VA per diem payments SVAB must agree not to accept drugs and medicines from VA on behalf of those veterans in need of nursing home care for a VA adjudicated service-connected disability; or who have a singular or combined service connected rating of seventy (70) percent or more based on one or more service-connected disabilities or a rating of total (100) disability based on individual unemployability and are in need of nursing home care.

Policy change to comply with provision 38 CFR 51.43(c), which authorizes a ten (10) day and a twelve (12) day bed hold in specific circumstances while resident is away from the Veterans Home.

This rule is proposed as a ☒ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxes as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: (Check one box below)

☐ An oral proceeding is scheduled on this rule on Date: _____ Time: _____
Place: _____

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least _____ days prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☐ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: *(Check one box below)*

- ☒ The agency has determined that an economic impact statement is not required for this rule, or
- ☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: June 23, 2009

Proposed Effective Date of Rule: August 23, 2009



Executive Director